

REMARKS

A telephonic conference with the Examiner was held on April 17, 2002, in which the grouping of the claims were discussed. Specifically, Applicants pointed out that claim 23 was not included in any one of the groups in the March 26, 2002 Office action. The Examiner included claim 23 in Group V. Applicants thank the Examiner for the courtesy of the telephonic conference.

RESTRICTION REQUIREMENT

The Office sets forth a restriction requirement for the following groups of claims: Group I (claims 1-4 and 10-13) which are directed to isolated polypeptides and methods of inducing an immune response against a tumor-associated antigen in a mammalian subject; Group II (claim 5-9 and 17-19) which are directed to isolated polynucleotides, expression vectors and immunogenic compositions; Group III (claims 10-15) which are directed to methods of inducing immune responses against a tumor-associated antigen; Group IV (claims 10-13 and 16) which are directed to methods of inducing immune responses against a tumor-associated antigen; and Group V (claims 20-23) which are directed to immunogenic compositions comprising a dendritic cell pulsed *in vitro* with PAP.

The Applicants hereby provisionally elect the claims of Group I (claims 1-4, and 10-13) with traverse, for examination in the present application. Reconsideration is requested of the restriction of the Group I claims from the claims of Group III (claims 10-15) and IV (claims 10-13 and 16). Although the inventions defined by the claims of Groups I and IV are distinct or independent, the search and examination of these claims can be made without additional burden on the Examiner. According to MPEP 803, "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct and independent inventions." See MPEP 803 (emphasis added).

Group I claims are directed to isolated polypeptides comprising SEQ ID NO: 2 and methods of inducing an immune response with a composition comprising such polypeptides. Groups I, III and IV include claims 10-13, which are directed to methods of inducing an immune response against a tumor-associated antigen in a mammalian subject with a composition comprising an xenogeneic form of said tumor-related antigen from a different species. Group III further includes claims 14 which is directed to the administration of a composition comprising a xenogeneic antigen produced in insect cells in the method, and claim 15 which is directed to the

administration of a composition comprising a viral expression vector in the method. Group IV further includes claim 16 which is directed to the administration of a composition comprising a viral expression vector which is selected from the group consisting of vaccinia virus, adenovirus and adeno-like virus. Thus, Groups I, III and IV contain claims which include methods of inducing an immune response against a tumor-associated antigen by the administration of a composition comprising a xenogeneic form of said tumor related antigen, and in view of the relationship between the subject matter of the claims of Groups I, III and IV, the search and examination of Group III and IV should not place a serious additional burden on the Examiner beyond what is already required with respect to the Group I claims. As such, Applicants respectfully request that Group III and IV be rejoined for examination in the present case.

For the reasons set forth above, reconsideration of the restriction requirement and rejoinder of the claims of Groups I, III and IV is respectfully requested. Applicants reserve the right to file divisional applications directed to the non-elected claims of Groups II and V. Additionally, in the event that the Examiner does not allow rejoinder of Group III and IV, Applicants also reserve the right to file a divisional application directed to these non-elected groups.

Respectfully submitted,

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